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PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional)	
		ITL.0554US (P11113)	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR on <u>July 14, 2006</u> Signature <u>Nancy Meshkoff</u> Typed or printed name <u>Nancy Meshkoff</u>	Application Number 09/826,251		Filed April 4, 2001
	First Named Inventor Ylian Saint-Hilaire		
	Art Unit 2618	Examiner Lewis G. West	
Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request. This request is being filed with a notice of appeal. The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided. I am the <input type="checkbox"/> applicant/inventor. <input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) <input checked="" type="checkbox"/> attorney or agent of record. Registration number 28,994 <input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____ <div style="text-align: right;"> Signature Timothy N. Trop Typed or printed name (713) 468-8880 Telephone number July 14, 2006 Date</div>			
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

☐ *Total of _____ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor Applicant:

Ylian Saint-Hilaire et al.

Serial No.: 09/826,251

Filed: April 4, 2001

For: Extending Personal
Area Networks

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Art Unit: 2618

Examiner: Lewis G. West

Docket: ITL.0554US
P11113

Assignee: Intel Corporation

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT IN SUPPORT OF PRE-APPEAL REQUEST FOR REVIEW

Sir:

Pre-appeal review is requested because the reference is being interpreted in a way which is inconsistent with both conventional usage of the term "network" and the usage of the applicant himself in the cited reference. This is plainly improper.

In the response to arguments on page 2 of the final rejection, it is suggested that in Walley there are multiple networks as each base station is capable of communicating with wireless, connected mobile devices. No support is cited for this proposition.

The proposition is surprising since it is directly inconsistent with what the inventor Walley describes. Walley is explicit that he has one and only one network. That network is the network 100 which he describes as including three bases, BS1, BS2, and BS3. *See* paragraph 26. Thus, the cited reference is directly contrary to the position taken by the Examiner. An interpretation of the reference, which is totally inconsistent with the reference itself, cannot be sustained.

Date of Deposit: July 14, 2006

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Nancy Meshkoff

The reference is explicit that all the base stations and the connected terminals are one network. For example, the cited application repeatedly talks about "the network" not "the networks". To then simply take a subset of the elements and to define them as a network is inappropriate when, clearly, the one network is defined by convention and by the fact that all the devices within the network are enumerated.

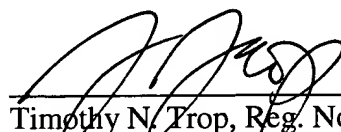
In the case of Walley, it is clear that all the devices in Walley's network are enumerated together. There is no enumeration separately for any two networks. Thus any device that is enumerated with the first network is part of the first network. That means that all the devices in Walley are part of the first network. As a result, as Walley explicitly explains, there is no second network in his system.

Walley never faces the problem of communicating address information between two different networks. He only has one network and whatever he communicates he communicates within that network. He does not have the problem that a first network has devices enumerated in it and a second network devices enumerated in it and the first and the second device networks have no way to know what devices are in the other network.

Since Walley does not teach a solution to the problem claimed and the assertion that Walley teaches distinct networks is irreconcilable with the reference itself, the rejection should be reconsidered.

Respectfully submitted,

Date: July 14, 2006



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